

**PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA
COMMISSION DIRECTIVE**

ADMINISTRATIVE MATTER	<input type="checkbox"/>	DATE	<u>June 01, 2022</u>
MOTOR CARRIER MATTER	<input checked="" type="checkbox"/>	DOCKET NO.	<u>2022-96-T</u>
UTILITIES MATTER	<input type="checkbox"/>	ORDER NO.	<u>2022-383</u>

THIS DIRECTIVE SHALL SERVE AS THE COMMISSION'S ORDER ON THIS ISSUE.

Order Directing Gamecock Moving LLC to File Maximum Rate Tariff No Later Than June 30, 2022

SUBJECT:

[Docket No. 2022-96-T](#) - Application of Gamecock Moving, LLC to Amend Its Existing Tariff and for Approval of a Low Country and Pee Dee Tariff - Staff Presents for Commission Consideration Gamecock Moving, LLC's Application to Amend Its Existing Tariff and for Approval of a Low Country and Pee Dee Tariff.

COMMISSION ACTION:

On May 5, 2022, the Commission ordered by Directive Order No. 2022-322 for Gamecock Moving, LLC (Gamecock Moving) to provide additional information for a single tariff to be considered by the Commission. The Commission referenced Regulation 103-197 which provides that it is unlawful for a motor carrier to give an undue or unreasonable advantage to any locality or to subject any locality to any undue or unreasonable prejudice or disadvantage. Gamecock Moving responded and provided additional information on May 16, 2022.

On May 23, 2022, the law related to the approval of the rates and charges fixed by Class E Certification Holders changed. Governor McMaster signed Senate Bill 1045 (S.1045) into law. See, 2022 Act No. ___, R.242 f/k/a S.1045. This new law states in South Carolina Code Section 58-23-20 that the Commission "may not fix or approve the rates, fares, or charges for Class A, B, C, D, E, or F certificates." 2022 Act No. ___, R.242 f/k/a S.1045, SECTION 1.

SECTION 19 of the Act further provides that the holders of a Class E Certificate (Household Goods) "shall file a maximum rate schedule with the Commission" as follows:

"Section [58-23-1010](#). (A) The commission shall regulate every motor carrier in this State and fix or approve the classifications and regulations pertaining to each motor carrier, except as provided in Section [58-23-20](#). (B) As to holders of a certificate E, the carrier shall file a maximum rate schedule with the commission. The commission must post the maximum rate schedule filing within one business day of receipt. The new maximum rate schedule shall go into effect one business day following the commission's posting of the new schedule. Holders of certificate E shall have the flexibility for adjustment of the rates below the maximum rate levels without commission approval. The commission shall publish the maximum rate schedule on its website."

S.C. Code Ann. Section 58-23-1010 (emphasis added).

Gamecock Moving is a licensed Household Goods Class E Certification Holder. Gamecock Moving was notified by Commission Staff about the transportation law changes enacted by the General Assembly and Governor which impact its request for approval of a Tariff Amendment.

In compliance with the new law, it is requested that Gamecock Moving LLC file a Maximum Rate Schedule with the Commission no later than June 30, 2022.

A company's maximum rate schedule will not be effective, and cannot be used, until one (1) business day following the Commission's posting of the new Maximum Rate Schedule.

The new law provides that Class E Certificate Holders "have the flexibility for adjustment of the rates below the maximum rate levels without commission approval." S.C. Code Ann. Section 58-23-1010(B). The Class E Certificate Holder must file a Maximum Rate Schedule, but the company has the authority to adjust rates and charge for services below the filed Maximum Rate Schedule without Commission approval.

PRESIDING:
Belser

SESSION: Regular

TIME: 11:00 a.m.

	MOTION	YES	NO	OTHER	
BELSER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Present in Hearing Room
CASTON	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Present in Hearing Room
ERVIN	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Voting via WebEx
POWERS	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Present in Hearing Room
THOMAS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>Absent</u>	Annual Leave
C. WILLIAMS	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Voting via WebEx
J. WILLIAMS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>Absent</u>	Military Leave

RECORDED BY: J. Schmieding

